

unsealed on 9/6/17
SEALED

FILED

CLOSED

JUL 13 2017

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division) - Los Angeles**
CRIMINAL DOCKET FOR CASE #: 2:17-mj-01730-DUTY-1

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

Case title: USA v. Ng

Date Filed: 07/11/2017

Date Terminated: 07/11/2017

Assigned to: Duty Magistrate Judge

16CR1996-WQH-6

Defendant (1)

Wong Hung Ng

TERMINATED: 07/11/2017

represented by **Deborah Elise Gonzalez**

Federal Public Defenders Office

321 East 2nd Street

Los Angeles, CA 90012-4202

213-894-7867

Fax: 213-894-0081

Email: deborah_gonzalez@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Defendant in violation of 21:959,
960,963,841(a)(1),846; 18:1956(a)(1)
(B)(i),(a)(2)(B)(i);21:853; 18:982

Disposition

Defendant is ordered HELD to
ANSWER to the USDC, Southern
District of California

2507

Plaintiff**USA**represented by **US Attorney's Office**

AUSA - Office of US Attorney

Criminal Div - US Courthouse

312 N Spring St, 12th Floor

Los Angeles, CA 90012-4700

213-894-2434

Email: USACAC.Criminal@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

Date Filed	#	Docket Text
07/11/2017	<u>1</u>	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Wong Hung Ng, originating in the Southern District of California. Defendant charged in violation of: 21:959, 960,963,841(a)(1),846; 18:1956(a)(1)(B)(i),(a)(2)(B)(i);21:853; 18:982. Signed by agent Caleb A Lazo, Homeland Security Investigations; Special Agent. (ja) (Entered: 07/13/2017)
07/11/2017	<u>2</u>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Wong Hung Ng; defendant's Year of Birth: 1979; date of arrest: 7/10/2017 (ja) (Entered: 07/13/2017)
07/11/2017	<u>3</u>	Defendant Wong Hung Ng arrested on warrant issued by the USDC Southern District of California at San Diego. (Attachments: # <u>1</u> Charging Document)(ja) (Entered: 07/13/2017)
07/11/2017	<u>4</u>	MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Karen L. Stevenson as to Defendant Wong Hung Ng Defendant arraigned and states true name is as charged. Attorney: Deborah Elise Gonzalez for Wong Hung Ng, Deputy Federal Public Defender, present. Court orders defendant Permanently detained. Defendant remanded to the custody or currently in the custody of the US Marshal. Court orders defendant held to answer to Southern District of California. Warrant of Removal and final commitment to issue. (MANDARIN) INTERPRETER Required as to Defendant Wong Hung Ng. Government's move to UNSEAL Indictment GRANTED as to defendant only. Court Reporter: Marea Woolrich. (ja) (Entered: 07/13/2017)
07/11/2017	<u>5</u>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Wong Hung Ng (ja) (Entered: 07/13/2017)
07/11/2017	<u>6</u>	ORDER OF DETENTION by Magistrate Judge Karen L. Stevenson as to Defendant Wong Hung Ng (ja) (Entered: 07/13/2017)
07/11/2017	<u>7</u>	FINANCIAL AFFIDAVIT filed as to Defendant Wong Hung Ng. (Not for Public View pursuant to the E-Government Act of 2002) (ja) (Entered: 07/13/2017)
07/11/2017	<u>8</u>	

		STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Wong Hung Ng (ja) (Entered: 07/13/2017)
07/11/2017	<u>9</u>	WAIVER OF RIGHTS approved by Magistrate Judge Karen L. Stevenson as to Defendant Wong Hung Ng. (ja) (Entered: 07/13/2017)
07/11/2017	<u>10</u>	WARRANT OF REMOVAL AND COMMITMENT by Magistrate Judge Karen L. Stevenson that Defendant Wong Hung Ng be removed to the Southern District of California (ja) (Entered: 07/13/2017)
07/13/2017		Notice to Southern District of California of a Rule 5 Initial Appearance as to Defendant Wong Hung Ng. Your case number is: 16CR1996-WQH. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <u>10</u> Warrant of Removal and Commitment to Another District, <u>4</u> Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40), Interpreter Required. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (ja) (Entered: 07/13/2017)

PACER Service Center			
Transaction Receipt			
07/14/2017 11:49:15			
PACER Login:	US4733:2654104:0	Client Code:	
Description:	Docket Report	Search Criteria:	2:17-mj-01730-DUTY End date: 7/14/2017
Billable Pages:	2	Cost:	0.20

FILED

2017 JUL 11 AM 11:14

(AP)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America

PLAINTIFF(S)

v.

Wong Hung Ng (6) aka "Mia"

DEFENDANT(S).

CASE NUMBER

17 MJ 01730
16 ER 1996 WQH

AFFIDAVIT RE
OUT-OF-DISTRICT WARRANT

The above-named defendant was charged by: United States District Court
in the Southern District of California on 7/10/17
at 500 ☐ a.m. / ☒ p.m. The offense was allegedly committed on or about 1/12/17
in violation of Title 21+18 U.S.C., Section(s) 959, 960, 963, 841(a)(2) 84
to wit: _____

A warrant for defendant's arrest was issued by: Hon. Nita L. Storms 18 USC 1956(a)(1)(B)(i) (a)(2)(B)(i)

Bond of \$ _____ was ☐ set / ☐ recommended.

Type of Bond:

Relevant document(s) on hand (attach):

I swear that the foregoing is true and correct to the best of my knowledge.

Sworn to before me, and subscribed in _____, by _____, Deputy Clerk.



Signature of Agent

Print Name of Agent

Agency

Title

Homeland Security Investigations HSI Special Agent

2017 JUL 11 AM 11:14

FILED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

PLAINTIFF

CASE NUMBER:

17 MJ01730

16CR1996-WQH

Wong Hang Ng (6) aka "Mun" DEFENDANT

REPORT COMMENCING CRIMINAL
ACTION

TO: CLERK'S OFFICE, U.S. DISTRICT COURT

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

1. Date and time of arrest: 7/10/2017 1500 ☐ AM ☒ PM
2. The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: ☐ Yes ☒ No
3. Defendant is in U.S. Marshals Service lock-up (in this court building): ☒ Yes ☐ No
4. Charges under which defendant has been booked:
21 USC: 959, 960, 963 + 21 USC: 841(a)(1) 846 + 18 USC 1956
+ 21 USC: 853; 18 USC 2381 (a)(1) (b)(1) (c)(1) (d)(1) (e)(1) (f)(1) (g)(1) (h)(1) (i)(1) (j)(1) (k)(1) (l)(1) (m)(1) (n)(1) (o)(1) (p)(1) (q)(1) (r)(1) (s)(1) (t)(1) (u)(1) (v)(1) (w)(1) (x)(1) (y)(1) (z)(1)
5. Offense charged is a: ☒ Felony ☐ Minor Offense ☐ Petty Offense ☐ Other Misdemeanor
6. Interpreter Required: ☐ No ☒ Yes Language: Chinese / Mandarin
7. Year of Birth: 1979
8. Defendant has retained counsel: ☐ Yes ☐ No
Name: _____ Phone Number: _____

9. Name of Pretrial Services Officer notified: Ninetta Smith x 5569

10. Remarks (if any): _____

11. Name: CALEB A. LAZO (please print)12. Office Phone Number: 310-335-595213. Agency: FCE-HSI14. Signature: [Signature]15. Date: 7-11-17

AO 442

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

Wong Hung Ng (6) aka "Mau"

17 MJ01730

WARRANT FOR ARREST

Case Number: 16CR1996-WQH

NOT FOR PUBLIC VIEW

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Wong Hung Ng (6)

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Violation Notice ☐ Probation Violation Petition
☐ Pretrial Violation

charging him or her with (brief description of offense):

21:959,960,963 – International Conspiracy to Distribute Controlled Substances

21:959,960 – International Distribution of Controlled Substances

21:841(a)(1),846 – Conspiracy to Distribute Controlled Substances

18:1956(a)(1)(B)(i),(a)(2)(B)(i),(h) - Conspiracy to Launder Monetary Instruments

21:853; 18:982 – Criminal Forfeiture

In violation of Title See Above United States Code, Section(s) _____

John Morrill

Name of Issuing Officer

Clerk of the Court

Title of Issuing Officer

s/ M. Lozano

Signature of Deputy

1/12/2017 San Diego, CA

Date and Location

Bail fixed at \$ NO BAIL

by The Honorable Nita L. Stormes

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

FILED

17 JAN 12 PM 4:40

MPL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2016 Grand Jury

17 MJ01730

UNITED STATES OF AMERICA,

Plaintiff,

v.

WONG HUNG NG (6),
aka "Mau,"

Defendants.

Case No. 16CR1996-WQH

I N D I C T M E N T
(2nd Superseding)

Title 21, U.S.C., Secs. 959, 960
and 963 - International Conspiracy
to Distribute Controlled
Substances; Title 21, U.S.C.,
Secs. 959, 960 - International
Distribution of Controlled
Substances; Title 21, U.S.C.,
Secs. 841(a)(1) and 846 -
Conspiracy to Distribute
Controlled Substances; Title 18,
U.S.C., Sec. 1956(a)(1)(B)(i),
(a)(2)(B)(i) and (h) - Conspiracy
to Launder Monetary Instruments;
Title 21, U.S.C., Sec. 853 and
Title 18, U.S.C., Sec. 982 -
Criminal Forfeiture

The grand jury charges:

Count 1

Beginning at a date unknown to the grand jury and continuing up to and including January 2017, within the Southern District of California, the countries of Mexico, Costa Rica, Nicaragua and elsewhere, defendants

WONG HUNG NG, aka "Mau,"

who will first enter the United States in the Southern District of California, did knowingly and intentionally conspire with each other and with others known and unknown to the grand jury to distribute and cause the distribution of a controlled substance, to wit: 5 kilograms and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance; intending and knowing that such cocaine would be unlawfully imported into the United States; all in violation of Title 21, United States Code, Sections 959, 960, and 963.

Count 2

Count 3

[REDACTED]

Count 4

In or about May 2016, in the country of Nicaragua and elsewhere, defendants [REDACTED] [REDACTED] WONG HUNG NG, aka "Mau," [REDACTED] [REDACTED] will first enter the United States within the Southern District of California, did knowingly and intentionally distribute and cause the distribution of 5 kilograms and more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, intending and knowing that such cocaine would be unlawfully imported into the United States; in violation of Title 21, United States Code, Sections 959 and 960.

Count 5

Beginning at a date unknown to the grand jury and continuing up to and including January 2017, within the Southern District of California and elsewhere, defendants [REDACTED]

[REDACTED] WONG HUNG NG, aka "Mau," [REDACTED]

1 [REDACTED] did knowingly and intentionally
2 conspire together and with each other and with others known and unknown
3 to the grand jury to possess with intent to distribute and to distribute
4 a controlled substance, to wit: 5 kilograms and more of a mixture and
5 substance containing a detectable amount of cocaine, a Schedule II
6 Controlled Substance; all in violation of Title 21 United States Code,
7 Sections 841(a)(1) and 846.

8 Count 6

9 Beginning at a date unknown to the grand jury and continuing up to
10 and including January 2017, within the Southern District of California
11 and elsewhere, defendants [REDACTED]

12 [REDACTED]
13 [REDACTED]
14 [REDACTED] WONG HUNG NG, aka "Mau," [REDACTED]

15 [REDACTED] did knowingly combine, conspire,
16 and agree with each other and with other persons known and unknown to
17 the grand jury to commit offenses against the United States, to wit: to
18 knowingly conduct financial transactions affecting interstate commerce
19 and foreign commerce, which transactions involved the proceeds of
20 specified unlawful activity, that is, Conspiracy to Possess With Intent
21 to Distribute and to Distribute Controlled Substances in violation of
22 Title 21, United States Code, Sections 841(a)(1) and 846, knowing that
23 the transactions were designed in whole and in part to conceal and
24 disguise the nature, location, source, ownership, and control of the
25 proceeds of specified unlawful activity, and knowing that the property
26 involved in the financial transactions represented the proceeds of some
27 form of unlawful activity, in violation of Title 18, United States Code,
28 Section 1956(a)(1)(B)(i); and to transport, transmit, and transfer, a

1 monetary instrument and funds involving the proceeds of specified
2 unlawful activity, that is, Conspiracy to Possess With Intent to
3 Distribute and to Distribute Controlled Substances in violation of
4 Title 21, United States Code, Sections 841(a)(1) and 846, from a place
5 in the United States to and through a place outside the United States,
6 knowing that the funds involved in the transportation, transmission, and
7 transfer represented the proceeds of some form of unlawful activity and
8 knowing that such transportation, transmission, and transfer was
9 designed in whole and in part to conceal and disguise the nature,
10 location, source, ownership, and control of the proceeds of specified
11 unlawful activity, in violation of Title 18, United States Code,
12 Section 1956(a)(2)(B)(i); all in violation of Title 18, United States
13 Code, Section 1956(h).

14 Criminal Forfeiture Allegations

15 1. The allegations contained in Counts 1 through 6 are realleged
16 and by their reference fully incorporated herein for the purpose of
17 alleging forfeiture to the United States of America pursuant to the
18 provisions of Title 21, United States Code, Section 853 and Title 18,
19 United States Code, Section 982.

20 2. As a result of the commission of the felony offenses alleged
21 in Counts 1 through 5 of this 2nd superseding indictment, said violations
22 being punishable by imprisonment for more than one year and pursuant to
23 Title 21, United States Code, Sections 853(a)(1) and 853(a)(2),
24 defendants [REDACTED]

25 [REDACTED]
26 [REDACTED]
27 [REDACTED] WONG HUNG NG, aka "Mau," [REDACTED]

28 [REDACTED] shall, upon conviction, forfeit to the

1 United States all their rights, title and interest in any and all
2 property constituting, or derived from, any proceeds the defendants
3 obtained, directly or indirectly, as the result of the offenses, and any
4 and all property used or intended to be used in any manner or part to
5 commit and to facilitate the commission of the violations alleged in
6 this 2nd superseding indictment.

7 3. Upon conviction of the offense set forth in Count 6, defendants

8 [REDACTED]
9 [REDACTED]
10 [REDACTED]

11 [REDACTED] WONG HUNG NG, aka "Mau," [REDACTED]

12 [REDACTED] shall forfeit to the United States, all property, real and
13 personal, involved in such offense, and all property traceable to such
14 property.

15 4. If any of the above referenced forfeitable property, as a
16 result of any act or omission of the defendants:

- 17 a. cannot be located upon the exercise of due diligence;
18 b. has been transferred or sold to, or deposited with, a third
19 party;
20 c. has been placed beyond the jurisdiction of the Court;
21 d. has been substantially diminished in value; or
22 e. has been commingled with other property which cannot be
23 subdivided without difficulty;

24 //

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27 //

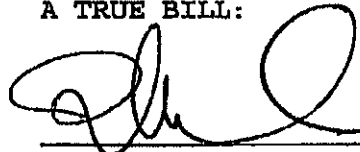
28

1 it is the intent of the United States, pursuant to Title 21, United
2 States Code, Section 853(p), to seek forfeiture of any other property
3 of the defendants up to the value of the said property listed above as
4 being subject to forfeiture.


5 All in violation of Title 21, United States Code, Section 853 and
6 Title 18, United States Code, Section 982.

7 DATED: January 12, 2017.

8 A TRUE BILL:

9 
10 _____
11 Foreperson

12 ALANA W. ROBINSON
13 Acting United States Attorney

14 
15 By: _____
16 JOSHUA P. JONES
17 Assistant U.S. Attorney
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

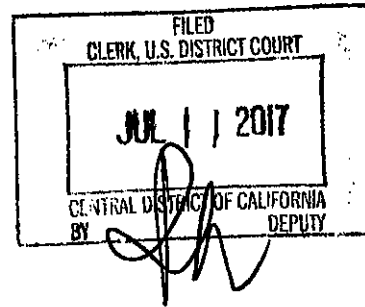
UNITED STATES OF AMERICA,	Plaintiff,	Western Division	<u>UNDER SEAL</u>
vs.		Case Number: 2:17-MJ-01730	Out of District Affidavit
<u>Wong Hung Ng</u>		Initial App. Date: 07/11/2017	Custody
		Initial App. Time: 2:00 PM	
	Defendant,	Date Filed: 07/11/2017	
		Violation: 21usc959,960, 963, 841(a)(1),	
		846, 18usc1956(a)(1)(B)(i),(a)(2)(B)(i);	
		21usc853, 18usc982	
		CourtSmart/ Reporter: <u>MAREA WOODRICK</u>	

PROCEEDINGS HELD BEFORE UNITED STATES MAGISTRATE JUDGE: <u>Karen L. Stevenson</u>	CALENDAR/PROCEEDINGS SHEET LOCAL/OUT-OF-DISTRICT CASE
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PRESENT: Horan Walker, Roxanne Sarah Lee SHIRLEY HONG
Deputy Clerk Assistant U.S. Attorney Interpreter/Language

- ☒ INITIAL APPEARANCE NOT HELD - CONTINUED
- ☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and preliminary hearing OR ☐ removal hearing / Rule 20.
- ☒ Defendant states true name ☒ is as charged ☐ is _____
- ☒ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.
- ☒ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered SEALED.
- ☒ Attorney: Deborah Gonzalez, DFPD ☒ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)
- ☐ Special appearance by: _____
- ☒ Government's request for detention is: ☒ GRANTED ☐ DENIED ☐ WITHDRAWN ☐ CONTINUED
- ☒ Defendant is ordered: ☒ Permanently Detained ☐ Temporarily Detained (see separate order).
- ☒ BAIL FIXED AT \$ _____ (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)
- ☒ Government moves to UNSEAL ~~Complaint/Indictment/Information/Entire Case~~ ☒ GRANTED ☐ DENIED as to A only.
- ☐ Preliminary Hearing waived.
- ☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties
- ☐ This case is assigned to Magistrate Judge _____ Counsel are directed to contact the clerk for the setting of all further proceedings.
- ☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for District Judge _____ for the setting of further proceedings.
- ☐ Preliminary Hearing set for _____ at 4:30 PM _____
- ☐ PIA set for: _____ at 1:00PM in LA; at 9:30 AM in Riverside; at 10:00 AM in Santa Ana
- ☐ Government's motion to dismiss case/defendant _____ only: ☐ GRANTED ☐ DENIED
- ☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED
- ☐ Defendant executed Waiver of Rights. ☐ Process received
- ☒ Court ORDERS defendant Held to Answer to Southern District of California @ San Diego
- ☐ Bond to transfer, if bail is posted. Defendant to report on or before _____
- ☒ Warrant of removal and final commitment to issue. Date issued: 7-11-2017 By CRD: Rlu
- ☐ Warrant of removal and final commitment are ordered stayed until _____
- ☐ Case continued to (Date) _____ (Time) _____ AM / PM
- Type of Hearing: _____ Before Judge _____ /Duty Magistrate Judge.
- Proceedings will be held in the ☐ Duty Courtroom ☐ Judge's Courtroom
- ☒ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.
- ☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.
- ☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.
- ☐ RELEASE ORDER NO: _____
- ☐ Other: _____
- ☒ PSA ☐ USPO ☒ FINANCIAL ☒ READY
- Deputy Clerk Initials Ph
3 mins.

SANDRA R. BROWN
Acting United States Attorney
LAWRENCE S. MIDDLETON
Assistant United States Attorney
Chief, Criminal Division
SONAH LEE (Cal. Bar No. 246024)
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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WONG HUNG NG aka "Mau",

Defendant.

No. CR

17-mj-1730

GOVERNMENT'S NOTICE OF REQUEST FOR
DETENTION

Plaintiff, United States of America, by and through its counsel
of record, hereby requests detention of defendant and gives notice of
the following material factors:

☐ 1. Temporary 10-day Detention Requested (§ 3142(d)) on the
following grounds:

☐ a. present offense committed while defendant was on release
pending (felony trial),

☐ b. defendant is an alien not lawfully admitted for
permanent residence; and

☐ c. defendant may flee; or

☐ d. pose a danger to another or the community.

☒ 2. Pretrial Detention Requested (§ 3142(e)) because no condition or combination of conditions will reasonably assure:

☒ a. the appearance of the defendant as required;

☒ b. safety of any other person and the community.

☐ 3. Detention Requested Pending Supervised Release/Probation Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

☐ a. defendant cannot establish by clear and convincing evidence that he/she will not pose a danger to any other person or to the community;

☐ b. defendant cannot establish by clear and convincing evidence that he/she will not flee.

☒ 4. Presumptions Applicable to Pretrial Detention (18 U.S.C. § 3142(e)):

☒ a. Title 21 or Maritime Drug Law Enforcement Act ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

☐ b. offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or 2332b(g)(5)(B) with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

☐ c. offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4),

2260, 2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);

- ☐ d. defendant currently charged with an offense described in paragraph 5a - 5e below, AND defendant was previously convicted of an offense described in paragraph 5a - 5e below (whether Federal or State/local), AND that previous offense was committed while defendant was on release pending trial, AND the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

☒ 5. Government Is Entitled to Detention Hearing Under § 3142(f) If the Case Involves:

- ☐ a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or more;
- ☐ b. an offense for which maximum sentence is life imprisonment or death;
- ☒ c. Title 21 or MDLEA offense for which maximum sentence is 10 years' imprisonment or more;
- ☐ d. any felony if defendant has two or more convictions for a crime set forth in a-c above or for an offense under state or local law that would qualify under a, b, or c if federal jurisdiction were present, or a combination or such offenses;

☐ e. any felony not otherwise a crime of violence that involves a minor victim or the possession or use of a firearm or destructive device (as defined in 18 U.S.C. § 921), or any other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250;

☒ f. serious risk defendant will flee;

☐ g. serious risk defendant will (obstruct or attempt to obstruct justice) or (threaten, injure, or intimidate prospective witness or juror, or attempt to do so).

☐ 6. Government requests continuance of ____ days for detention hearing under § 3142(f) and based upon the following reason(s):

//

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☐ 7. Good cause for continuance in excess of three days exists in that:

Dated: July 11, 2017

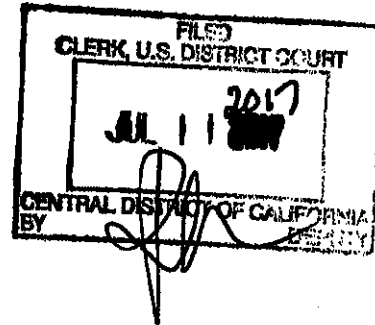
Respectfully submitted,

SANDRA R. BROWN
Acting United States Attorney

LAWRENCE S. MIDDLETON
Assistant United States Attorney
Chief, Criminal Division

SONAH LEE
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,) **NO. 2:17-MJ-01730-DUTY**
)
 Plaintiff,)
)
 v.) **ORDER OF DETENTION AFTER**
) **HEARING**
)
 WONG HUNG NG,)
) **(18 U.S.C. § 3142(i))**
 Defendant.)
)

I.

- A. (X) On motion of the Government in a case allegedly involving:**
1. () a crime of violence;
 2. () an offense with a maximum sentence of life imprisonment or death;
 3. (X) a narcotics or controlled substance offense with a maximum sentence of ten or more years;
 4. () any felony - where the defendant has been convicted of two or more prior offenses described above;
 5. () any felony that is not otherwise a crime of violence that involves a minor

victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

B. (X) On motion by the Government / () on Court's own motion, in a case allegedly involving:

1. (X) a serious risk that the defendant will flee;

2. () a serious risk that the defendant will:

a. () obstruct or attempt to obstruct justice;

b. () threaten, injure, or intimidate a prospective witness or juror or attempt to do so.

C. The Government (X) is/ () is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community.

II.

A. (X) The Court finds that no condition or combination of conditions will reasonably assure:

1. (X) the appearance of the defendant as required.

(X) and/or

2. (X) the safety of any person or the community.

B. (X) The Court finds that the defendant has not rebutted by sufficient evidence to the contrary the presumption provided by statute.

III.

The Court has considered:

A. the nature and circumstances of the offense(s) charged;

B. the weight of evidence against the defendant;

C. the history and characteristics of the defendant; and

D. the nature and seriousness of the danger to any person or to the community.

1 IV.

2 The Court also has considered all the evidence adduced at the hearing and the
3 arguments and/or statements of counsel, and the Pretrial Services Report and
4 recommendation.

5
6 V.

7 The Court bases the foregoing finding(s) on the following:

- 8 A. (X) The history and characteristics of the defendant indicate a serious risk that
9 the defendant will flee, because the risk of flight is presumed in this case; no
10 bail resources have been proffered to mitigate the risk of flight; and defendant
11 submitted on the issue.
- 12 B. (X) The defendant poses a risk to the safety of other persons or the community
13 because of the nature and seriousness of the allegations in this presumption
14 case; and submission on the issue.

15
16 VI.

- 17 A. () The Court finds that a serious risk exists that the defendant will:
18 1. () obstruct or attempt to obstruct justice.
19 2. () attempt to/ () threaten, injure or intimidate a witness or juror.

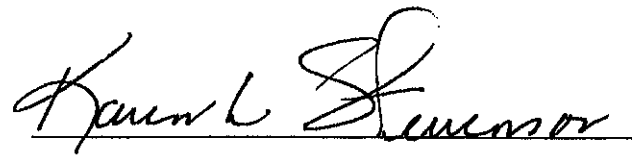
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22 VII.

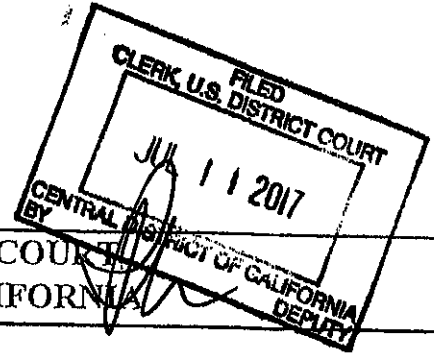
- 23 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- 24 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the
25 Attorney General for confinement in a corrections facility separate, to the extent
26 practicable, from persons awaiting or serving sentences or being held in custody
27 pending appeal.

1 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity
2 for private consultation with counsel.

3 D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on
4 request of any attorney for the Government, the person in charge of the corrections
5 facility in which the defendant is confined shall deliver the defendant to a United
6 States Marshal for the purpose of an appearance in connection with a court proceeding.

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8 DATED: July 11, 2017

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11 KAREN L. STEVENSON
12 UNITED STATES MAGISTRATE JUDGE
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America,

Plaintiff(s)

CASE NUMBER:

17-1730

v.

Wong Hung Ng

Defendant(s)

STATEMENT OF DEFENDANT'S
CONSTITUTIONAL RIGHTS

You are here for arraignment and plea upon an indictment or information filed against you, a copy of which will be given to you.

You are entitled to a speedy and public trial by jury. If you wish to waive a jury trial, you must be tried by the Court sitting without a jury.

You are entitled to be represented by an attorney at all stages of the proceedings against you. If you do not have the funds or the means to hire a lawyer, tell the Magistrate Judge and he/she will appoint an attorney from the Indigent Defense Panel or the office of the Federal Public Defender to represent you without cost to you.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. It is not necessary to prove your innocence. It is the burden of the government to prove, by competent evidence, your guilt beyond a reasonable doubt.

If you desire to plead guilty, you will be further questioned by a Court to ascertain whether or not your plea is voluntary. In the event your plea is accepted, the Court will sentence you after referral to the Probation Officer for a presentence report. This procedure usually takes about ten (10) weeks. Before accepting a plea of guilty, the Judge expects that you have discussed your case fully with your lawyer and have been fully advised of all the defenses you may have. You will be expected to know the maximum and minimum sentence you can receive on your plea of guilty.

Do not plead guilty unless you are, in fact, guilty of the charges made against you in the indictment or information. Do not plead guilty if there have been any threats made against you or any member of your family by anyone. Do not plead guilty if there have been any promises of leniency or a particular sentence made to you by anyone, including your own lawyer. No one has the authority to make any promises to you concerning sentence.

Your case will be referred to one of the Judges of this Court for all other proceedings. The name of the Judge will be drawn after your arraignment and all further proceedings will be before that Judge.

(continued on Page 2)

STATEMENT OF DEFENDANT'S CONSTITUTIONAL RIGHTS

ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Statement of Rights and understand them. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: _____

Signature of Defendant

[or]

I have personally heard a translation in the Mandarin language read to me and understand the above Statement of Rights.

Dated: 7/11/17

Signature of Defendant

STATEMENT OF THE INTERPRETER:

I have translated the Statement of Rights to the Defendant in the Mandarin language.

Dated: 7/11/17

Signature of Interpreter

Shiru Hong
Print Name of Interpreter

STATEMENT OF COUNSEL:

I am satisfied that the defendant has read this Statement of Rights or has heard the interpretation thereof and that he/she understands them.

Dated: 7/11/17

Signature of Attorney

STATEMENT OF DEFENDANT'S CONSTITUTIONAL RIGHTS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

Wong Hung Ng

CASE NUMBER:	
PLAINTIFF FILED	CLERK, U.S. DISTRICT COURT
2017	
JUL 11 2017	
CENTRAL DISTRICT OF CALIFORNIA	DEPUTY

MS 17-1730
WAIVER OF RIGHTS
(OF DISTRICT CASES)

I understand that charges are pending in the Southern District of California
alleging violation of 21 USC 959, etc. and that I have been arrested in this district and
(Title and Section / Probation / Supervised Release)

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

-Check one only-

☒ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:

- ☒ have an identity hearing
- ☒ arrival of process
- ☐ have a preliminary hearing
- ☒ have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- ☐ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

Date: 7/11/17

Defendant

Defense Counsel

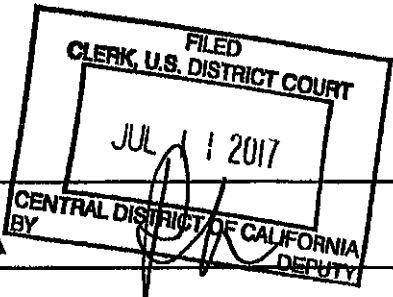
United States Magistrate Judge

I have translated this Waiver to the defendant in the Mandarin language.

Date: 7/11/2017

Interpreter (if required)

Name & Address:



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America

CASE NUMBER:

17-mj-1730

PLAINTIFF(S)

v.

Wong Hung Ng (6)

FINAL COMMITMENT AND WARRANT OF REMOVAL

SOUTHERN District of CALIFORNIA

DEFENDANT(S)

At SAN DIEGO
(City)

To: United States Marshal for the Central District of California

The above-named defendant is hereby remanded to your custody and you are hereby ORDERED to remove him/her forthwith, along with a certified copy of this Commitment, to the custodian of a place of confinement within the District of Origin, approved by the Attorney General of the United States, where the defendant shall be received and safely kept until discharged in due course of law.

This defendant was arrested in this District after the filing of a(n):

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> Indictment | <input type="checkbox"/> Information | <input type="checkbox"/> Complaint | <input type="checkbox"/> Order of court |
| <input type="checkbox"/> Pretrial Release | <input type="checkbox"/> Probation | <input type="checkbox"/> Supervised Release | <input type="checkbox"/> Violation Notice |
| <input type="checkbox"/> Violation Petition | <input type="checkbox"/> Violation Petition | <input type="checkbox"/> Violation Petition | |

charging him or her with (brief description of offense) International Conspiracy to Distribute Controlled Substances; Conspiracy to Distribute Controlled Substances; Conspiracy to Launder Monetary Instruments; Criminal Forfeiture

☒ in violation of Title 21; 18 United States Code, Section (s) 959, 960, 963, 841(a)(1), 846; 1956(a)(1), etc.

☐ in violation of the conditions of his or her pretrial release imposed by the court.

☐ in violation of the conditions of his or her supervision imposed by the court.

The defendant has now:

- ☒ duly waived arrival of process.
- ☒ duly waived identity hearing before me on July 11, 2017
- ☐ duly waived preliminary hearing before me on _____
- ☐ had a preliminary hearing before me on _____, and it appears that there is probable cause to believe that the offense so charged has been committed and that the defendant has committed it.
- ☐ had an identity hearing before me on _____, and it appears that the defendant is the person named as charged, and:
- ☐ Bail has been set at \$ _____ but has not been posted.
- ☐ No bail has been set.
- ☒ Permanent detention has been ordered.
- ☐ Temporary detention has been ordered.

July 11, 2017

Date

Karen L. Spencer
United States Magistrate Judge

RETURN

Received this commitment and designated prisoner on _____, and on _____ committed him to _____ and left with the custodian at the same time a certified copy of the within temporary commitment.

United States Marshal, Central District of California

Date

Deputy